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INSTRUMENT PREPARED BY  
VIRGINIA GAS AND OIL BOARD

BOOK 610 PAGE 116

ORDER RECORDED UNDER CODE  
OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB 02/12/17-1109

ELECTIONS, UNIT: VC-502832

(hereinafter "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER


1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on **May 17, 2004** and recorded in **Book 610, Page 116** in the Office of the Clerk of Circuit Court, Russell County, Virginia on **June 2, 2004** (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
  - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
  - (b) The designated operator filed its affidavit of mailing dated **June 15, 2004**, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;
  - (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated **April 28, 2006**, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-

160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;

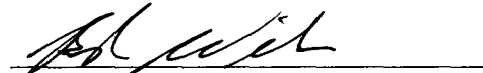
- (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
  - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty,, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
  4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
  5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
  6. Effective Date: This Order shall be effective on the date of its execution.

BOOK 666-20231

DONE AND EXECUTED this 19<sup>th</sup> day of September, 2006 by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 19<sup>th</sup> day of September, 2006 by Order of this Board.

  
B. R. Wilson  
Principal Executive to the Staff  
Virginia Gas and Oil Board

STATE OF VIRGINIA )  
COUNTY OF Washington


Acknowledged on this 19<sup>th</sup> day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Notary Public

My commission expires: 9/30/09.

STATE OF VIRGINIA )  
COUNTY OF Washington

Acknowledged on this 19<sup>th</sup> day of September, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Diane J. Davis  
Notary Public

My commission expires: 9/30/09.

**VIRGINIA:**

***BEFORE THE VIRGINIA GAS AND OIL BOARD***

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-502832 VGOB Docket No. VGOB-02/12/17-1109 in the Castlewood Magisterial District of Russell County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on **May 17, 2004**, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on **June 2, 2004**.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

Lonnie Wilson &  
Pam Wilson, H/W  
3478 Cunningham Road  
Thomasville, NC 27360

Randall Head &  
Teresa A. Head, H/W  
1279 Old Elk Neck Road  
Elkton, MD 21921

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>Tract</u>	<u>Lessor</u>	<u>Interest</u>
<b>2</b> <b><u>Gas Estate</u></b>	Nettie G. Kiser Wilson, Widow P. O. Box 294 Cleveland, VA 24225	0.00001875 RI
	Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	0.00001875 RI
	Ruby Ethel Kiser Estate c/o Kennie O'Dell Kiser P O Box 62 Cleveland, VA 24225	0.00001875 RI
	Kennie O'Dell Kiser & Thelma Kiser, H/W P. O. Box 62 Cleveland, VA 24225	0.00001875 RI
	Alma Simmerly, Widow P. O. Box 1624 Honaker, VA 24260	0.00001875 RI
	Delphia Wilson & Roy Lee Wilson, W/H HC 4 Box 304 Bee, VA 24217	0.00000268 RI
	Alden Wilson & Ella Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.00000268 RI
	Curtis Wilson & Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.00000268 RI

Lonnie Wilson & Pam Wilson, H/W 3478 Cunningham Road Thomasville, NC 27360	0.00000268 RI
Giles Wilson & Charlotte Wilson, H/W Route 1 Box 338 Cleveland, VA 24225	0.00000268 RI
Johnny Lee Rosenbaum, Single 1730 Clifton Road Bristol, TN 37621	0.00000089 RI
Joe Canter Address Unknown	0.00000089 RI
Alicia Rosenbaum, single 18484 Woodland Hills Road Abingdon, VA 24210	0.00000089 RI
Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.00000067 RI
Carolyn Rinehart & Richard Rinehart, W/H 1656 Pricipia Road Port Deposit, MD 21904	0.00000067 RI
Sharon Jones & Bobby Jones, W/H 2817 Biggs Highwat North East, MD 21901	0.00000067 RI
Randall Head & Teresa A. Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.00000067 RI
Dallas Brooks Kiser, Single Star Route Box 25 Cleveland, VA 24225	0.00011250 RI
Ama Kiser Vance, Widow 409 West Main Street Apt. 4 Tazewell, VA 24651-1064	0.00001406 RI
James Kiser & Christine Kiser, H/W 719 St. Paul Street Newport News, VA 23605	0.00001406 RI
Nellie Kiser Wells, Single 2128 A Street Augusta, GA 30904	0.00001406 RI

Lila Elizabeth Kiser, Single 2416 Lamberts Avenue Richmond, VA 23234	0.00001406 RI
Margaret Marie Kiser Heirs Address Unknown	0.00001406 RI
Elaine Craft Heirs Address Unknown	0.00001406 RI
William Arthur Kiser & Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	0.00001406 RI
Woodrow Childs, Widower Address Unknown	0.00001406 RI
Delphia Musick Ball, Widow P O Box 58 Davenport, VA 24239	0.00001023 RI
Willard Wilson, Single Route 2 Box 332 Cleveland, VA 24225	0.00001023 RI
Thurman Musick P O Box 1392 Lebanon, VA 24266	0.00001023 RI
Betty Musick, Widow Route 2 Box 167 Cleveland, VA 24225	0.00001023 RI
Thelma Musick, Widow Address Unknown	0.00001023 RI
Elwood Musick, Single 15177 Douglas Street Culpeper, VA 22701	0.00001023 RI
Ina Musick, Widow 667 Hunting Hill Road Piney Flats, TN 37686	0.00001023 RI
Hubert Musick & Jo Anne Musick, H/W P. O. Box 202 Honaker, VA 24260	0.00001023 RI
Dorothy Johnson, Single Route 4 Box 177-B Lebanon, VA 24266	0.00001023 RI

Scarlet Baker & Henry Baker, W/H P. O. Box 2374 Lebanon, VA 24266	0.00000205 RI
Sparker Floyd Musick & Dolly Musick, H/W 17085 Brumley Gap Road Abingdon, VA 24210	0.00000205 RI
Raymond Musick & Patsy Musick, H/W Box 1245 Stewart, VA 24171	0.00000205 RI
Samuel Musick & Linda Musick, H/W 1085 Bellamy Lane Portsmouth, OH 45663	0.00000205 RI
Patrick F. Musick 21105 Currie Warren, MI 48091	0.00000102 RI
Keith A. Musick 21105 Currie Warren, MI 48091	0.00000102 RI
Mildred Kendrick & Claude Kendrick, W/H Address Unknown	0.00000171 RI
Edith Matson, Widow 5678 SR 133 Batavia, OH 45103	0.00000171 RI
Sally Musick, Widow Route 1 Box 710 Cleveland, VA 24225	0.00000171 RI
Cecil Musick & Irene Musick, H/W Route 2 Box 114 Cleveland, VA 24225	0.00000171 RI
James H. Musick & Annie Bea Musick, H/W Route 2 Box 76B Cleveland, VA 24225	0.00000171 RI
Fred Musick & Allie Musick, H/W Address Unknown	0.00000171 RI



Velva Kiser Breeding & 0.00011250 RI  
 Cloid Breeding, W/H  
 Route 1 Box 441  
 Cleveland, VA 24225

Gladys Gilbert, Widow 0.00002813 RI  
 8809 Portner Ave., Apt. #2  
 Manassas, VA 20110

Pauline Butler, Single 0.00002813 RI  
 334 S. Rogers Street  
 Aberdeen, MD 21001

Pridemore Powers & 0.00002813 RI  
 Betty Powers, H/W  
 3265 Grand Avenue  
 Abilene, TX 79675

Maynard Powers, Deceased 0.00002813 RI  
 Address Unknown

Bertie Counts, Widow 0.00002250 RI  
 Box 61  
 Castlewood, VA 24224

**Julie Kiser Heirs**

Anita Conaway & 0.00001125 RI  
 Wayne Conaway, W/H  
 HCR 01 Box 409  
 Birchleaf, VA 24220

Donnie Kiser & 0.00001125 RI  
 Diann Kiser, H/W  
 P. O. Box 72  
 Lawndale, NC 28090

Maudie Stevens, Single 0.00002250 RI  
 HCR 01 Box 405  
 Birchleaf, VA 24220

Donald Kiser, Single 0.00002250 RI  
 Star Route Box 38  
 Cleveland, VA 24225

Vadie Blankenship & 0.00002250 RI  
 Edwin Blankenship, W/H  
 26934 Watauga Road  
 Abingdon, VA 24211-7356

Anne J. Campbell, Widow 0.00003750 RI  
 Route 1 Box 42  
 Cleveland, VA 24225

	Delphia Combs, Widow General Delivery Cleveland, VA 24225	0.00003750 RI
	Inas Counts, Widow P. O. Box 2995 Lebanon, VA 24226	0.00003750 RI
	Elsie Mae Kiser Counts, Widow Route 2 Box 70 Cleveland, VA 24225	0.00011250 RI
	<b>OR</b>	
<b>2</b> <b><u>Coal Estate</u></b>	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	0.00101250 RI
<b>3</b> <b><u>Gas Estate</u></b>	Nettie Glenn Kiser Wilson, Widow PO Box 294 Cleveland, VA 24225	0.00347083 RI
	Roland Delmer Kiser General Delivery Cleveland, VA 24225	0.00347083 RI
	Ruby Ethel Kiser, Single c/o Kennie O'Dell Kiser PO Box 62 Cleveland, VA 24225	0.00347083 RI
	Kennie O'Dell Kiser and Thelma Kiser, H/W PO Box 62 Cleveland, VA 24225	0.00347083 RI
	Alma Simmerley, widow General Delivery Honaker, VA 24260	0.00347083 RI
	Delphia Wilson and Roy Lee Wilson W/H Route A, Box 314 Bee, VA 24217	0.00049583 RI
	Alden Wilson and Ella Wilson, H/W E. Old Philadelphia Road Elkton, MD 21921	0.00049583 RI
	Curtis Wilson and Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.00049583 RI

	Lonnie Wilson and Pam Wilson, H/W Route 2 Thomasville, NC 27360	0.00049583 RI
	Giles Wilson and Charlotte Wilson, H/W Rt. 1, Box 338 Cleveland, VA 24225	0.00049583 RI
	Johnny Lee Rosenbaum 1730 Clifton Road Bristol, TN 37621	0.00016528 RI
	Joe Canter Unknown	0.00016528 RI
	Alicia Rosenbaum 18484 Woodland Hills Road Abingdon, VA 24210	0.00016528 RI
	Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.00012396 RI
	Carolyn Rinehart and Richard Rinehart, W/H 1656 Principia Road Elkton, MD 21921	0.00012396 RI
	Sharon Jones and Bobby Jones, W/H 2817 Biggs Highway North East, MD 21901	0.00012396 RI
	Randy Head and Terry Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.00012396 RI
<b>OR</b>		
<b>3</b>		
<b><u>Coal Estate</u></b>	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	0.02082500 RI
<b>4</b>		
<b><u>Gas Estate</u></b>	Nettie G. Kiser Wilson, Widow P. O. Box 294 Cleveland, VA 24225	0.00061690 RI
	Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	0.00061690 RI

Ruby Ethel Kiser Estate c/o Kennie O'Dell Kiser P O Box 62 Cleveland, VA 24225	0.00061690 RI
Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	0.00061690 RI
Ruby Ethel Kiser Estate c/o Kennie O'Dell Kiser P O Box 62 Cleveland, VA 24225	0.00061690 RI
Delphia Wilson & Roy Lee Wilson, W/H HC 4 Box 304 Bee, VA 24217	0.00008813 RI
Alden Wilson & Ella Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.00008813 RI
Curtis Wilson & Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.00008813 RI
Lonnie Wilson & Pam Wilson, H/W 3478 Cunningham Road Thomasville, NC 27360	0.00008813 RI
Giles Wilson & Charlotte Wilson, H/W Route 1 Box 338 Cleveland, VA 24225	0.00008813 RI
Johnny Lee Rosenbaum, Single 1730 Clifton Road Bristol, TN 37621	0.00002938 RI
Joe Canter Address Unknown	0.00002938 RI
Alicia Rosenbaum, single 18484 Woodland Hills Road Abingdon, VA 24210	0.00002938 RI
Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.00002203 RI

Carolyn Rinehart & Richard Rinehart, W/H 1656 Pricipia Road Port Deposit, MD 21904	0.00002203	RI
Sharon Jones & Bobby Jones, W/H 2817 Biggs Highwat North East, MD 21901	0.00002203	RI
Randall Head & Teresa A. Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.00002203	RI
Dallas Brooks Kiser, Single Star Route Box 25 Cleveland, VA 24225	0.00370139	RI
Ama Kiser Vance, Widow 409 West Main Street Apt. 4 Tazewell, VA 24651-1064	0.00046267	RI
James Kiser & Christine Kiser, H/W 719 St. Paul Street Newport News, VA 23605	0.00046267	RI
Nellie Kiser Wells, Single 2128 A Street Augusta, GA 30904	0.00046267	RI
Lila Elizabeth Kiser, Single 2416 Lamberts Avenue Richmond, VA 23234	0.00046267	RI
Margaret Marie Kiser Heirs Address Unknown	0.00046267	RI
Elaine Craft Heirs Address Unknown	0.00046267	RI
William Arthur Kiser & Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	0.00046267	RI
Woodrow Childs, Widower Address Unknown	0.00046267	RI
Delphia Musick Ball, Widow P O Box 58 Davenport, VA 24239	0.00033649	RI

Willard Wilson, Single Route 2 Box 332 Cleveland, VA 24225	0.00033649 RI
Thurman Musick P O Box 1392 Lebanon, VA 24266	0.00033649 RI
Betty Musick, Widow Route 2 Box 167 Cleveland, VA 24225	0.00033649 RI
Thelma Musick, Widow Address Unknown	0.00033649 RI
Elwood Musick, Single 15177 Douglas Street Culpeper, VA 22701	0.00033649 RI
Ina Musick, Widow 667 Hunting Hill Road Piney Flats, TN 37686	0.00033649 RI
Hubert Musick & Jo Anne Musick, H/W P. O. Box 202 Honaker, VA 24260	0.00033649 RI
Dorothy Johnson, Single Route 4 Box 177-B Lebanon, VA 24266	0.00033649 RI
Scarlet Baker & Henry Baker, W/H P. O. Box 2374 Lebanon, VA 24266	0.00006730 RI
Sparker Floyd Musick & Dolly Musick, H/W 17085 Brumley Gap Road Abingdon, VA 24210	0.00006730 RI
Raymond Musick & Patsy Musick, H/W Box 1245 Stewart, VA 24171	0.00006730 RI
Samuel Musick & Linda Musick, H/W 1085 Bellamy Lane Portsmouth, OH 45663	0.00006730 RI
Patrick F. Musick 21105 Currie Warren, MI 48091	0.00003365 RI

Keith A. Musick 21105 Currie Warren, MI 48091	0.00003365 RI
Mildred Kendrick & Claude Kendrick, W/H Address Unknown	0.00005608 RI
Edith Matson, Widow 5678 SR 133 Batavia, OH 45103	0.00005608 RI
Sally Musick, Widow Route 1 Box 710 Cleveland, VA 24225	0.00005608 RI
Cecil Musick & Irene Musick, H/W Route 2 Box 114 Cleveland, VA 24225	0.00005608 RI
James H. Musick & Annie Bea Musick, H/W Route 2 Box 76B Cleveland, VA 24225	0.00005608 RI
Fred Musick & Allie Musick, H/W Address Unknown	0.00005608 RI
Velva Kiser Breeding & Clويد Breeding, W/H Route 1 Box 441 Cleveland, VA 24225	0.00370139 RI
Gladys Gilbert, Widow 8809 Portner Ave., Apt. #2 Manassas, VA 20110	0.00092535 RI
Pauline Butler, Single 334 S. Rogers Street Aberdeen, MD 21001	0.00092535 RI
Pridemore Powers & Betty Powers, H/W 3265 Grand Avenue Abilene, TX 79675	0.00092535 RI
Maynard Powers, Deceased Address Unknown	0.00092535 RI
Bertie Counts, Widow Box 61 Castlewood, VA 24224	0.00074028 RI

**Julie Kiser Heirs**

Anita Conaway & Wayne Conaway, W/H  
HCR 01 Box 409  
Birchleaf, VA 24220 0.00037014 RI

Donnie Kiser & Diann Kiser, H/W  
P. O. Box 72  
Lawndale, NC 28090 0.00037014 RI

Maudie Stevens, Single  
HCR 01 Box 405  
Birchleaf, VA 24220 0.00074028 RI

Donald Kiser, Single  
Star Route Box 38  
Cleveland, VA 24225 0.00074028 RI

Vadie Blankenship & Edwin Blankenship, W/H  
26934 Watauga Road  
Abingdon, VA 24211-7356 0.00074028 RI

Anne J. Campbell, Widow  
Route 1 Box 42  
Cleveland, VA 24225 0.00123380 RI

Delphia Combs, Widow  
General Delivery  
Cleveland, VA 24225 0.00123380 RI

Inas Counts, Widow  
P. O. Box 2995  
Lebanon, VA 24226 0.00123380 RI

Elsie Mae Kiser Counts, Widow  
Route 2 Box 70  
Cleveland, VA 24225 0.00370139 RI

**OR**  
**4**  
**Coal Estate**

Pittston Company  
c/o Clinchfield Coal Company  
Attn: Steve Smith  
P. O. Box 7  
Dante, VA 24237 0.03331250 RI

**5**  
**Gas Estate**

Nancy E. Counts Estate  
c/o Mildred Miller  
2401 S Atlantic Avenue, Apt A401  
New Smyrna Beach, FL 32169-3452 0.00547813 RI



Tressa K. Patrick, Single c/o Louise Gentry 212 Oak Road Bristol, TN 37620	0.00027391 RI
Cecil L. Kiser & Julie A. Kiser, H/W 2133 Summers Avenue Streetsboro, OH 44241	0.00273906 RI
Wilma Johnson Porter & Dale C. Porter, Jr., W/H 235 Wheeler Road Lynchberg, VA 24504-5340	0.00027391 RI
Alice B. Keen, Widow 4741 Showalter Rd NW Roanoke, VA 24017	0.00136953 RI
Leon Kiser & Janice Kiser, H/W 315 Hill Road Bristol, TN 37620	0.00109563 RI
Gaynell Johnson Sampson & Carl Edward Sampson, W/H 155 Poplar Terrace Drive Lynchburg, VA 24502-3387	0.00027391 RI
Diana D. Kiser, Widow Route 4 Box 654 North Tazewell, VA 24630	0.00273906 RI
Samuel J. Breeding Jr. & Betty Sue Breeding, H/W P O Box 293 Grundy, VA 24614	0.00136953 RI
Lillian B. Crane & Percy V. Crane, W/H 6380 Virgil H Goode Hwy Rocky Mount, VA 24151-3384	0.00136953 RI
Edith K. Wockenfuss & David E. Wockenfuss, W/H 207A 12th Street Clermont, FL 34711	0.00109563 RI
Freddy Johnson & Darlene Johnson, H/W P O Box 503 Montvale, VA 24122	0.00027391 RI

OR 5 <u>Coal Estate</u>	Sharon Dickson, Single 295 Bethel Dr #39 Bristol, TN 37620	0.00036521 RI
	Dorothy C. Kiser, Widow Attn: Larry Kiser P O Box 1565 Bristol, TN 37621	0.00109563 RI
	Ruby Marie Breeding Johnson & William C. Johnson, W/H 5519 Chenault Ave Orlando, FL 32839	0.00045651 RI
	Blaine Owens & Robin M. Owens, H/W 103 Jefferson Drive Bristol, VA 24201	0.00036521 RI
	Deborah L. Tomlinson & Terry L Tomlinson, W/H 132 North Clay St Coldwater, MI 49036	0.00045651 RI
	Larry D. Breeding & Kathy A. Breeding, H/W 1050 Granger Drive Jacksonville, FL 32221	0.00045651 RI
	Lana O. Duty & Sonny D. Duty, W/H 5950 Valley Road Springfield, TN 37172	0.00036521 RI
	Pittston Company c/o Clinchfield Coal Company Attn: Steve Smith P. O. Box 7 Dante, VA 24237	0.02191250 RI

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

**NONE**

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>Tract</u>	<u>Payee</u>	<u>Cash Consideration</u>
2	Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	0.0089 x \$5.00 = 0.04

Alden Wilson & Ella Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.0013 x \$5.00 = 0.01
Curtis Wilson & Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.0013 x \$5.00 = 0.01
Lonnie Wilson & Pam Wilson, H/W 3478 Cunningham Road Thomasville, NC 27360	0.0013 x \$5.00 = 0.01
Giles Wilson & Charlotte Wilson, H/W Route 1 Box 338 Cleveland, VA 24225	0.0013 x \$5.00 = 0.01
Johnny Lee Rosenbaum, 1730 Clifton Road Bristol, TN 37621	0.0004 x \$5.00 = 0.01
Joe Canter Address Unknown	0.0004 x \$5.00 = 0.01
Alicia Rosenbaum, single 18484 Woodland Hills Road Abingdon, VA 24210	0.0004 x \$5.00 = 0.01
Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.0003 x \$5.00 = 0.01
Carolyn Rinehart & Richard Rinehart, W/H 1656 Pricipia Road Port Deposit, MD 21904	0.0003 x \$5.00 = 0.01
Sharon Jones & Bobby Jones, W/H 2817 Biggs Highwat North East, MD 21901	0.0003 x \$5.00 = 0.01
Randall Head & Teresa A. Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.0003 x \$5.00 = 0.01
Ama Kiser Vance, Widow 409 West Main Street Apt. 4 Tazewell, VA 24651-1064	0.0067 x \$5.00 = 0.03

James Kiser & Christine Kiser, H/W 719 St. Paul Street Newport News, VA 23605	0.0067 x \$5.00 = 0.03
Nellie Kiser Wells, Single 2128 A Street Augusta, GA 30904	0.0067 x \$5.00 = 0.03
Lila Elizabeth Kiser, Single 2416 Lamberts Avenue Richmond, VA 23234	0.0067 x \$5.00 = 0.03
Margaret Marie Kiser Heirs Address Unknown	0.0067 x \$5.00 = 0.03
Elaine Craft Heirs Address Unknown	0.0067 x \$5.00 = 0.03
William Arthur Kiser & Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	0.0067 x \$5.00 = 0.03
Woodrow Childs, Widower Address Unknown	0.0067 x \$5.00 = 0.03
Thelma Musick, Widow Address Unknown	0.0048 x \$5.00 = 0.02
Ina Musick, Widow 667 Hunting Hill Road Piney Flats, TN 37686	0.0048 x \$5.00 = 0.02
Raymond Musick & Patsy Musick, H/W Box 1245 Stewart, VA 24171	0.0010 x \$5.00 = 0.01
Samuel Musick & Linda Musick, H/W 1085 Bellamy Lane Portsmouth, OH 45663	0.0010 x \$5.00 = 0.01
Mildred Kendrick & Claude Kendrick, W/H Address Unknown	0.0008 x \$5.00 = 0.01
Edith Matson, Widow 5678 SR 133 Batavia, OH 45103	0.0008 x \$5.00 = 0.01
Fred Musick & Allie Musick, H/W Address Unknown	0.0008 x \$5.00 = 0.01

	Gladys Gilbert, Widow 8809 Portner Ave., Apt. #2 Manassas, VA 20110	0.0133 x \$5.00 = 0.07
	Pridemore Powers & Betty Powers, H/W 3265 Grand Avenue Abilene, TX 79675	0.0133 x \$5.00 = 0.07
	Maynard Powers, Deceased Address Unknown	0.0133 x \$5.00 = 0.07
	Vadie Blankenship & Edwin Blankenship, W/H 26934 Watauga Road Abingdon, VA 24211-7356	0.0107 x \$5.00 = 0.05
3	Roland Delmer Kiser General Delivery Cleveland, VA 24225	1.6317 x \$5.00 = 8.16
	Ruby Ethel Kiser, Single c/o Kennie O'Dell Kiser PO Box 62 Cleveland, VA 24225	1.6317 x \$5.00 = 8.16
	Delphia Wilson and Roy Lee Wilson W/H Route A, Box 314 Bee, VA 24217	0.2331 x \$5.00 = 1.17
	Alden Wilson and Ella Wilson, H/W E. Old Philadelphia Road Elkton, MD 21921	0.2331 x \$5.00 = 1.17
	Curtis Wilson and Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.2331 x \$5.00 = 1.17
	Lonnie Wilson and Pam Wilson, H/W Route 2 Thomasville, NC 27360	0.2331 x \$5.00 = 1.17
	Giles Wilson and Charlotte Wilson, H/W Rt. 1, Box 338 Cleveland, VA 24225	0.2331 x \$5.00 = 1.17
	Johnny Lee Rosenbaum 1730 Clifton Road Bristol, TN 37621	0.0777 x \$5.00 = 0.39

	Joe Canter Unknown	0.0777 x \$5.00 = 0.39
	Alicia Rosenbaum 18484 Woodland Hills Road Abingdon, VA 24210	0.0777 x \$5.00 = 0.39
	Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.0583 x \$5.00 = 0.29
	Carolyn Rinehart and Richard Rinehart, W/H 1656 Principia Road Elkton, MD 21921	0.0582 x \$5.00 = 0.29
	Sharon Jones and Bobby Jones, W/H 2817 Biggs Highway North East, MD 21901	0.0582 x \$5.00 = 0.29
	Randy Head and Terry Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.0582 x \$5.00 = 0.29
4	Roland Delmer Kiser, Single P. O. Box 194 Cleveland, VA 24225	0.2900 x \$5.00 = 1.45
	Alden Wilson & Ella Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.0414 x \$5.00 = 0.21
	Curtis Wilson & Connie Wilson, H/W 1867 E. Old Philadelphia Road Elkton, MD 21921	0.0414 x \$5.00 = 0.21
	Lonnie Wilson & Pam Wilson, H/W 3478 Cunningham Road Thomasville, NC 27360	0.0414 x \$5.00 = 0.21
	Giles Wilson & Charlotte Wilson, H/W Route 1 Box 338 Cleveland, VA 24225	0.0414 x \$5.00 = 0.21
	Johnny Lee Rosenbaum, 1730 Clifton Road Bristol, TN 37621	0.0138 x \$5.00 = 0.07
	Joe Canter Address Unknown	0.0138 x \$5.00 = 0.07

Alicia Rosenbaum, single 18484 Woodland Hills Road Abingdon, VA 24210	0.0138 x \$5.00 = 0.07
Wanda Loudermilk Jones 995 E. Old Philadelphia Road Elkton, MD 21921	0.0104 x \$5.00 = 0.05
Carolyn Rinehart & Richard Rinehart, W/H 1656 Pricipia Road Port Deposit, MD 21904	0.0104 x \$5.00 = 0.05
Sharon Jones & Bobby Jones, W/H 2817 Biggs Highwat North East, MD 21901	0.0104 x \$5.00 = 0.05
Randall Head & Teresa A. Head, H/W 1279 Old Elk Neck Road Elkton, MD 21921	0.0104 x \$5.00 = 0.05
Ama Kiser Vance, Widow 409 West Main Street Apt. 4 Tazewell, VA 24651-1064	0.2175 x \$5.00 = 1.09
James Kiser & Christine Kiser, H/W 719 St. Paul Street Newport News, VA 23605	0.2175 x \$5.00 = 1.09
Nellie Kiser Wells, Single 2128 A Street Augusta, GA 30904	0.2175 x \$5.00 = 1.09
Lila Elizabeth Kiser, Single 2416 Lamberts Avenue Richmond, VA 23234	0.2175 x \$5.00 = 1.09
Margaret Marie Kiser Heirs Address Unknown	0.2175 x \$5.00 = 1.09
Elaine Craft Heirs Address Unknown	0.2175 x \$5.00 = 1.09
William Arthur Kiser & Sylvia Kiser, H/W 421 Beauregard Drive Chesapeake, VA 23322	0.2175 x \$5.00 = 1.09
Woodrow Childs, Widower Address Unknown	0.2175 x \$5.00 = 1.09

Thelma Musick, Widow Address Unknown	0.1582 x \$5.00 = 0.79
Ina Musick, Widow 667 Hunting Hill Road Piney Flats, TN 37686	0.1582 x \$5.00 = 0.79
Raymond Musick & Patsy Musick, H/W Box 1245 Stewart, VA 24171	0.0316 x \$5.00 = 0.16
Samuel Musick & Linda Musick, H/W 1085 Bellamy Lane Portsmouth, OH 45663	0.0316 x \$5.00 = 0.16
Mildred Kendrick & Claude Kendrick, W/H Address Unknown	0.0264 x \$5.00 = 0.13
Edith Matson, Widow 5678 SR 133 Batavia, OH 45103	0.0264 x \$5.00 = 0.13
Fred Musick & Allie Musick, H/W Address Unknown	0.0263 x \$5.00 = 0.13
Gladys Gilbert, Widow 8809 Portner Ave., Apt. #2 Manassas, VA 20110	0.4350 x \$5.00 = 2.18
Pridemore Powers & Betty Powers, H/W 3265 Grand Avenue Abilene, TX 79675	0.4350 x \$5.00 = 2.18
Maynard Powers, Deceased Address Unknown	0.4350 x \$5.00 = 2.18
Vadie Blankenship & Edwin Blankenship, W/H 26934 Watauga Road Abingdon, VA 24211-7356	0.3480 x \$5.00 = 1.74



That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

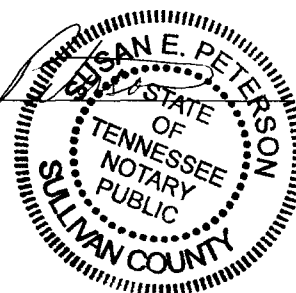
Dated at Kingsport, Tennessee, this 28<sup>th</sup> day of April 2006.

James E. Kaiser  
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 28<sup>th</sup> day of April 2006.

My commission expires: 11-12-08

Susan E. Peterson  
Notary



VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 9-26, 2006. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:07 o'clock A. M. after payment of \$ — tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

BY: Notary Clerk D. CLERK

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